



IFW

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Isamu TAKAHARA et al.

Group Art Unit: 3641

Application No.: 10/509,518

Examiner: S. JOHNSON

Filed: November 26, 2004

Docket No.: 121230

For: INITIATOR

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the August 21, 2006 Election of Species Requirement, Applicants provisionally elect Species C, with traverse. Applicants respectfully assert that at least claims 34-37, 38, 39, 43 and 44 read on Species C and at least claim 34 is generic to all species.

However, Applicants respectfully assert that Election of Species practice under 35 U.S.C. §121 and MPEP Chapter 800 does not apply to the present application because the present application is the National Stage of PCT/JP03/03148, filed under 35 U.S.C. §371 (see MPEP §801). Rather, Unity of Invention practice applies to National Stage Applications (see MPEP §1893.03(d)). Because Election of Species practice does not apply to the present application the present Election of Species Requirement and the June 7, 2006 Election of Species Requirement are improper. Applicants respectfully request withdrawal of the Requirements.

Furthermore, all of pending claims 34-47 share a special technical feature. In particular, all of claims 34-47 at least share the special technical features of claim 34 as

claims 35-47 depend from claim 34. Because all of pending claims 34-47 share a special technical feature, under Unity of Invention practice, they must be examined together (see MPEP §1809.03(d)).

Respectfully submitted,



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Date: September 21, 2006

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